

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,

Plaintiff,

vs.

Brady Daniel Torgerson, Brent D. Torgerson,  
and Kelly Huffman,

Defendants.

Case No. 1:21-cr-00205

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**ORDER GRANTING MOTION TO CONTINUE TRIAL**

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[¶1] THIS MATTER comes before the Court on a Motion to Continue Trial filed by the Defendant Huffman on November 17, 2021. Doc. No. 34. Trial is scheduled in this matter for December 7, 2021. This is the **first** request to continue for Defendant Huffman.

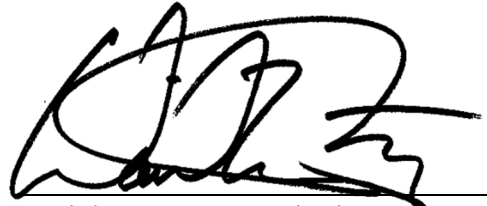
[¶2] As grounds for the request, counsel was recently retained. As such, counsel needs additional time to receive and review discovery and prepare for trial. The Defendant has signed a Waiver of Speedy Trial Rights. Doc. No. 35. The United States does not oppose the motion, but requests that a continuance be no less than 90 days. Doc. No. 36.

[¶3] Upon consideration, the Court finds there is good cause to continue the trial, and “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial” pursuant to 18 U.S.C. § 3161(h)(7)(A). See United States v. Lucas, 499 F.3d 769, 782-83 (8th Cir. 2007); United States v. Hohn, 8 F.3d 1301, 1305 (8th Cir. 1993); United States v. Driver, 945 F.2d 1410, 1414 (8th Cir. 1991). Accordingly, the Court **GRANTS** the Defendant’s Motion to Continue Trial.

[¶4] Trial in this matter as to all Defendants shall be rescheduled for Tuesday, May 24, 2022, at 9:30 a.m. in Bismarck Courtroom 1 before the undersigned. A three (3) day trial is anticipated. All time that elapses from the date of this Order until trial shall be excluded from any Speedy Trial Act calculation. See 18 U.S.C. § 3161(h)(7)(A) and 18 U.S.C. § 3161(h)(7)(B).

[¶5] **IT IS SO ORDERED.**

DATED November 23, 2021.

A handwritten signature in black ink, appearing to read 'D. Traynor', is written over a horizontal line.

Daniel M. Traynor, District Judge  
United States District Court